

**Minutes of a Regular Session of the Common Council of the Town of Clarkdale
Held on Tuesday, March 10, 2020**

A Regular Meeting of the Common Council of the Town of Clarkdale was held on Tuesday, March 10, 2020, at 6:00 P.M. in the Clark Memorial Clubhouse, Men's Lounge, 19 N. Ninth Street, Clarkdale, Arizona.

CALL TO ORDER – Meeting was called to order at 6:00 P.M. by Mayor Von Gausig.

Town Council:

Mayor Doug Von Gausig

Vice Mayor Richard Dehnert

Councilmember Scott Buckley

Councilmember Bill Regner

Councilmember Debbie Hunseder

Town Staff:

Town Manager Tracie Hlavinka

Utilities/Public Works Director Maher Hazine

Finance Director Kathy Cwiok

Police Chief Randy Taylor

Community Development Director Ruth Mayday

Town Clerk Mary Ellen Dunn

PUBLIC COMMENT – The Town Council invites the public to provide comments at this time. Members of the Council may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. §38-431.01(G), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism or scheduling the matter for further consideration and decision at a later date. Persons interested in making a comment on a specific agenda item are asked to complete a brief form and submit it to the Town Clerk during the meeting. Each speaker is asked to limit their comments to five minutes.

There was no public comment.

REPORTS

Current Events – A brief summary of current events. The Council will not propose, discuss, deliberate or take legal action on any matter in the summary.

Mayor Von Gausig's Report –

- 02-11-20 Gave recognition to Kathy Cwiok for her work with the auditors and the annual audit
- 02-14-20 Attended League of Cities and Towns Executive Committee meeting
- 02-18-20 Attended Yavapai College release of Verde River Report Card

- 02-19-20 Met with Judge Lundy
- 02-20-20 Met with Nation's Chairman Jon Huey
- 02-26-20 Met with Supervisor Randy Garrison regarding Lower TapcoRAP ramadas
- 02-27-20 Met with Freeport and Wildlife Habitat Council representatives at Upper TapcoRAP;
 - Met with Marney Babbitt-Pierce regarding Verde Valley water and Town of Clarkdale
- 02-28-20 Attended ASU Visioning session
- 03-02-20 Met with Town staff at Bitter Creek for vineyard suitability
- 03-04-20 Met with Gayle Mabery
- 03-05-20 Attended Public Forum on Officer Involved Shooting

Vice-Mayor Dehnert's Report –

- 02-27-20 Attended NACOG Council meeting
- 03-05-20 Attended Public Forum on Officer Involved Shooting
- 03-10-20 Attended Spectrum Board of Directors meeting

Councilmember Regner's Report –

- 02-12-20 Attended TPAC meeting
- 02-20-20 Attended Intergov meeting in Jerome
- 02-28-20 Attended ASU Visioning session
- 03-05-20 Attended Elpidio Rangel's retirement celebration;
 - attended Public Forum on Officer Involved Shooting

Councilmember Buckley's Report –

- 02-28-20 Attended ASU Project Cities meeting
- 03-06-20 Attended Elpidio Rangel's retirement party
- 03-07-20 Attended VVREO Moonshot event

Councilmember Hunseder's Report –

- 02-20-20 Attended Intergov meeting in Jerome
- 03-03-20 Attended CDBA meeting
- 03-04-20 Attended robbery re-enactment
- 03-05-20 Attended Elpidio Rangel's retirement party;
 - attended Public Forum on Officer Involved Shooting
- 03-06-20 Attended VVREO Moonshot event
- 03-07-20 Attended Clarkdale Police Department awards banquet

Town Manager Hlavinka's Report –

- Conducted my regular meetings with Council and Town Directors
- February 11 – Met with the Auditors prior to the Town Council Meeting
- February 12 – Attended a Workplace Conflict Resolution Webinar
- February 12 – Had lunch with Dan Engler from the Verde Independent
- February 12 – Attended a Verde Valley Regional Housing Study Meeting
- February 18 – Met with Developer and Staff out at Copper Penny Park
- February 18 – Attended the Verde River Report Card Release Party with the Mayor
- February 19 – Had lunch with the Mayor and Judge Lundy
- February 20 – Attended a True Colors Personal Success Workshop with several other staff members
- February 20 – Attended the Verde Valley Intergovernmental Meeting in Jerome
- February 23 – Met with a developer in Prescott Valley
- February 25 – Attended the Town Council Meeting
- February 26 – Attended lunch with Yavapai County Supervisor, Randy Garrison, and the Mayor
- February 27 – Attended a Field Visit with Freeport & the Wildlife Habitat Council
- February 28 – Met with ASU students for a mid-semester report and attended the Stakeholder Meeting conducted by the ASU students.
- March 2 – Met with Michael Pierce, the Mayor and Community Development staff to discuss the Bitter Creek Industrial area
- March 3 – Attended the CDBA meeting
- March 5 – Attended Elpidio Rangel's Retirement Party
- March 5 – Attended the Community Forum conducted by the Clarkdale Police Department
- March 6 – Attended the VVREO Board meeting
- March 6 – Met with Darin Dinsmore to discuss possible residential development
- March 7 – Attended the Fourth Annual Clarkdale & Jerome Police Department Award Banquet

Organizational Reports – Reports regarding regional organizations.**CAT** – Cottonwood Area Transit (Councilmember Buckley)

- No report

VVTPO – Verde Valley Transportation Planning Organization. (Councilmember Regner)

- No report

NACOG - Northern Arizona Council of Governments. (Vice Mayor Dehnert)

- 02-27-20 Meeting: Headstart received approval of organizational structure plan; TPAC vote resulted in a resolution urging lawmakers to invest in local road networks and highway transportation; State revenue up 10% for second year in a row

NAMWUA - Northern Arizona Municipal Water Users Association. (Vice Mayor Dehnert)

- No report

VVREO-LRSPC – Verde Valley Regional Economic Organization’s Long Range Strategic Planning Committee (Councilmember Hunseder)

- No report

TPAC – Transportation Policy Advisory Council. (Councilmember Regner)

- Recently hired Yavapai Mobility Planner – Pedro Rodriguez
- Conducting a Yavapai Passenger Transportation Study (YPTS)

CONSENT AGENDA - The consent agenda portion of the agenda is a means of expediting routine matters that must be acted on by the Council. All items are approved with one motion. Any items may be removed for discussion at the request of any Council Member.

- A. Approval of Minutes of the Common Council** - Approval of the minutes of the Regular Meeting held February 11, 2020, and Special Meeting held February 25, 2020.
- B. Claims** - List of specific expenditures made by the Town during the previous month. February, 2020 check log and PPE dated February 1 and 15, 2020.
- C. Board and Commission Minutes** – Acknowledgement of receipt of minutes and draft minutes of the previous month’s Board and Commission Meetings.

Design Review Notice of Cancellation of meeting on February 5, 2020
Planning Commission minutes of meeting held February 20, 2020
Parks and Recreation Commission minutes of meeting held January 8, 2020
Public Safety Personnel Retirement System Local Board minutes of meeting held February 12, 2020

- D. Mayors Day of Recognition for National Service Proclamation** – Approval of a Proclamation which is a national bipartisan effort to recognize

the positive impact of national service in cities and towns, to thank those who serve, and to encourage citizens to give back to their communities.

- E. Welcome Home Vietnam Veterans Day Proclamation** – Approval of a proclamation setting March 29, 2020 as Welcome Home Vietnam Veterans Day in Clarkdale.

Action: Accept Consent Agenda items A – E as presented.

Motion: Vice Mayor Dehnert

Second: Councilmember Hunseder

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NEW BUSINESS

AGREEMENT FOR MAGISTRATE SERVICES – Consideration of an agreement appointing William Lundy as the Magistrate of the Clarkdale Magistrate Court.

Following the co-location of the Clarkdale Magistrate Court with the Verde Valley Justice Court in 2018, the Town of Clarkdale came to an agreement and signed a contract with Judge Lundy of the Verde Valley Justice Court to serve as Magistrate for the Clarkdale Magistrate Court.

Mayor Von Gausig and Town Manager Hlavinka met with Judge Lundy on February 19, 2020 to discuss the terms of the Agreement that is being presented to the Council for consideration.

Under the Clarkdale Town Code, the term for a Magistrate in Clarkdale is 2 years, and thus this Agreement is for the period from June 1, 2020 – May 31, 2022. Any additional terms thereafter would require the approval of both the Town Council and Judge Lundy. The annual compensation is \$26,000, and includes a provision where the Town agrees to increase the annual compensation at the same rate and effective date as any cost-of-living increase provided for Town employees after January 1, 2021 and during the term of this Agreement.

Section 3-1-1 of the Clarkdale Town Code states that the Magistrate may only be removed from office for cause. The Agreement further clarifies cause by providing that the Town may terminate the agreement should Judge Lundy violate the terms of the Agreement. Further, the agreement may be terminated with 90 day notice by Judge Lundy, or if either of the following circumstances occur:

- i. The Intergovernmental Agreement between the Town of Clarkdale and Yavapai County for the Co-Location of the Clarkdale Magistrate Court with the Verde Valley Justice Court has expired or is terminated.
- ii. The Town enters into an Intergovernmental Agreement with another jurisdiction to consolidate or co-locate Court operations.

Judge Lundy has expressed his satisfaction with the terms of this Agreement, and plans to attend the Council meeting to address any questions that the Council may have.

Judge Lundy was ill and not able to attend. Town Manager Hlavinka presented information on this agreement to Council.

Action: Approve the Agreement for Clarkdale Magistrate services between the Town of Clarkdale and William Lundy.

Motion: Councilmember Regner

Second: Councilmember Buckley

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

NOTICE OF INTENT TO INCREASE THE LOCAL SALES TAX RATE –

Discussion and possible action regarding Notice of Intent to increase the local sales tax rate.

On September 24, 2019 Council held a work session regarding the collection of Sales Tax on Food for Home Consumption. At that time, Council directed Staff to research the topic. At the January 28, 2020 Council meeting the ADOR gave a presentation on the history and current state of the tax collection. Also presented were options to consider going forward. During this meeting Council directed Staff to move forward with a Notice of Intent to tax business code 062, Retail Sales of Food for Home Consumption at the rate of 3.00%.

On January 29, 2020, the Notice of Intent to set/amend the local sales tax rate was submitted to the Town Clerk. A Notice of Intent and the Ordinance will be placed in the newspaper on February 23, 2020. The Ordinance setting the sales tax rate will be on the April 14, 2020 council agenda. The amendment will be effective on July 1, 2020.

Finance Director Kathy Cwiok presented information on this agenda item to Council.

Action: Approve the Notice of Intent to set the Local Sales Tax Rate.

Motion: Vice Mayor Dehnert

Second: Councilmember Regner

Vote:

Voting Member	Aye/Nay
Council Member Scott Buckley	Aye
Vice Mayor Richard Dehnert	Aye
Council Member Debbie Hunseder	Aye
Council Member Bill Regner	Aye
Mayor Doug Von Gausig	Aye

VERDE RIVER INSTITUTE REPORT - An update from the Verde River Institute on projects and issues that relate to the Verde River @ Clarkdale.

The Verde River Institute (VRI) is a 501(c)(3) non-profit organization committed to developing and facilitating the implementation of policies that help to ensure that the Verde River in central Arizona retains flows that will support sustainable, healthy and diverse economies and ecosystems.

VRI also helps policy makers understand the many complex water resource issues in central Arizona. They are committed to finding sustainable solutions for the human and natural worlds that depend on the Verde River to supply their needs. They are guided by the principle that responses to demands in the system should also increase the river community's intellectual, political, social, individual, natural, built and financial capital. According to their website, when this goal is realized, the system becomes robust, dynamic and sustainable.

The Vision of the VRI is: Connecting people and resources to promote a healthy, flowing Verde River and a stronger, greater Verde community.

Their Mission: Provide research and data, funding, policy expertise, education and consulting on diverse Verde River issues.

Clarkdale Mayor Doug Von Gausig serves as the Executive Director of the Verde River Institute. Instead of reporting on Verde River Institute topics during his Mayor's report, staff has suggested having a separate agenda item so that the public is more aware that information relating to the Verde River Institute's work will be presented. Mayor Von Gausig will provide on-going updates and reports on Verde River Institute programs and projects that relate to the Verde River @ Clarkdale as part of this agenda item.

Mayor Von Gausig reported that this is the beginning of the kayaking season. Launched from Upper Tapco RAP. The launch site is still intact after last flooding. Adds about 1.5 miles to the trip for commercial outfitters.

Pre-college student and her advisor are trying to develop a method for fast assay of E. coli and other pathogens. If they are able to develop this method the E. coli source could be determined.

Algal bloom is in good shape this year and good for the river. Contributes to the oxygen in the water, not invasive and necessary for ecosystem.

Yavapai County's contribution of the facilities to Lower Tapco has been great and our Public Works crew have put in foundations for personal flotation device (pfd) kiosk. Ryan Thomas Foundation, Verde River Institute and other groups may hold a grand opening to start people using the personal flotation devices.

Parks Service issued a press release regarding testing performed and was vague on an unidentified bacterium. ADEQ is investigating.

Action: This is a monthly, or as-needed, report and no Council action is required.

FUTURE AGENDA ITEMS - Listing of items to be placed on a future council agenda.


ADJOURNMENT – Without objection, Mayor Von Gausig adjourned the meeting 7:10 P.M.

APPROVED:



Doug Von Gausig, Mayor

ATTESTED/SUBMITTED:




Mary Ellen Dunn, Town Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Clarkdale, Arizona held on the 10th day of March, 2020. I further certify that meeting was duly called and held and that a quorum was present.

Dated this 14th day of April, 2020.

SEAL



Mary Ellen Dunn, Town Clerk